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PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW

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August 1, 2005

VIA FACSIMILE
EXPEDITED PROCEDURE

To: Examiner Olisa Anwah
 Group Art Unit No. 2645
 U. S. P. T. O.

Facsimile No. 571-273-8300

From: Phillip E. Miller

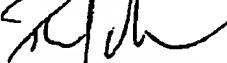
Facsimile No. 703-761-2375

Re: Filing of Second Appeal Brief and Petition
 U. S. Patent Application Serial No. 09/723,235
 Our Ref: YOR.229

Dear Examiner:

Enclosed please find a Second Appeal Brief and a Petition under 37 CFR 1.181 for Withdrawal of Notice of Defective Appeal Brief, Entry of After-Final Amendment, and for an Examiner's Answer.

Thank you in advance for your kind consideration of this case.

Very truly yours,

 Phillip E. Miller

PEM/lnb
 Enclosure

TRANSMITTAL OF APPEAL BRIEF (Large Entity)

Docket No.
YO999-349

In Re Application Of: Gee-Gwo Mei

| | | | | | |
|-------------------------------|---------------------------|--------------------------|--------------|------------------------|--------------------------|
| Application No. 09/421,363 | Filing Date 10/19/1999 | Examiner Abwah, Olisa | Customer No. | Group Art Unit 2645 | Confirmation No. 4029 |
|-------------------------------|---------------------------|--------------------------|--------------|------------------------|--------------------------|

Invention: **SYSTEM AND METHOD FOR PERSONALIZING DIALOGUE MENU FOR AN INTERACTIVE VOICE RESPONSE SYSTEM**

COMMISSIONER FOR PATENTS:

Transmitted herewith in triplicate is the Appeal Brief in this application, with respect to the Notice of Appeal filed on
February 16, 2005

The fee for filing this Appeal Brief is: **\$500.00 (Already Paid)**

- A check in the amount of the fee is enclosed.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0510
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Phillip E. Miller, Reg. No. 46,060
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Customer No. 21254

Dated: August 1, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

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P30LARGE/REV06

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09/421,363
YOR919990349US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Gee-Gwo Mei et al.

Serial No.: 09/421,363 Group Art Unit: 2645

Filed: November 19, 1999 Examiner: Olisa Anwah

For: SYSTEM AND METHOD FOR PERSONALIZING DIALOGUE MENU FOR AN
INTERACTIVE VOICE RESPONSE SYSTEM

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

APPELLANT'S BRIEF ON APPEAL

Sir:

This Second Brief on Appeal is filed in response to the Notification of Non-Compliant
Appeal Brief dated June 30, 2005 in this Application.

Appellant respectfully appeals the final rejection of claims 1-42 in the Office Action
dated November 16, 2004. A Notice of Appeal was filed herein on February 16, 2005.

I. REAL PARTY IN INTEREST

The real party in interest is International Business Machines Corporation, assignee of
100% interest of the above-referenced patent application.

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellant, Appellant's legal
representative or Assignee which would directly affect or be directly affected by or have a
bearing on the Board's decision in this appeal.